

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 92-513-T - ORDER NO. 93-463 ✓
MAY 25, 1993

IN RE: Application of Glasscock Company,)
Inc., 4650 Broad Street Ext., P.O.) ORDER GRANTING
Box 1384, Sumter, SC 29151, for a) MOTION TO COMPEL
Class E Certificate of Public)
Convenience and Necessity.)

This matter is before the Public Service Commission of South Carolina (the Commission) on Glasscock Company, Inc.'s (Glasscock or the Applicant's) Motion to Compel Discovery from Southern Bulk Haulers, Inc. (Southern Bulk or Intervenor). Specifically, Glasscock seeks a response to its questions 4, 5, 11, 12, 13, 14, and 23 in its First Set of Interrogatories and Requests for Production.¹ After review of the Applicant's Motion, the discovery requests, the Intervenor's responses, and the applicable law, the Commission finds the Motion to Compel should be granted with the limitations noted below.

1. The Applicant notes that Southern Bulk timely filed responses to its discovery requests, but objected to these particular requests on the grounds of relevancy.

May 25, 1993

PAGE 2

Number 4 - Glasscock seeks the identity of all persons who during the past five (5) years made any complaints about Southern Bulk's service or refusal to provide service. The Commission finds that, in general, the request is either relevant or likely to lead to relevant information and, therefore, should be answered. The Commission finds, however, that Southern Bulk's response should be limited to complaints during the past two (2) years.

Number 5 - Glasscock seeks the identity of any person Southern Bulk has refused to provide service to during the past five (5) years. The Commission finds and concludes that this request is likely to lead to relevant information and, therefore, should be answered. However, the Commission finds that Southern Bulk's response should be limited to the past two (2) years.

Number 11 - Glasscock seeks information as to whether Southern Bulk has ever been cited for violation of any state or federal agency rules, regulations, or statutes governing certificated carriers. The Commission finds and concludes that this discovery request is likely to lead to material relevant to the subject of this proceeding and that it should, therefore, be answered.

Number 12 - Glasscock requests that Southern Bulk be required to produce all financial statements for the last six (6) years. Although this information is available to Glasscock from other sources, the Commission finds Southern Bulk should be required to respond to the request.

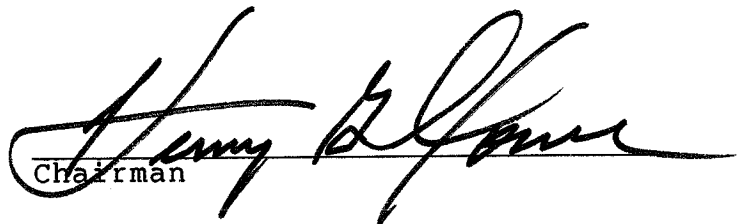
Number 13 - Glasscock requests that Southern Bulk be required to produce its balance sheets for the last four (4) years. Although this information is available to Glasscock from other sources, the Commission finds Southern Bulk should be required to respond to the request.

Number 14 - Glasscock requests Southern Bulk identify and produce any loan documents between itself and its partners, officers, directors, and stockholders. The Commission concludes that this request is relevant to the issues for this proceeding, and, therefore, should be answered.

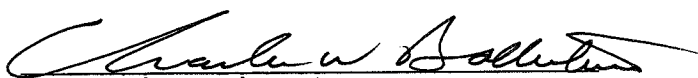
Number 23 - Glasscock seeks information regarding shipments or other services declined by Southern Bulk since January 1986 on a monthly basis. While the Commission is of the opinion that the substantive information sought by Glasscock is relevant, the response need only include information for the past two (2) years.

In conclusion, except as limited by this Order, Glasscock's Motion to Compel is granted. Southern Bulk shall respond to these requests within ten (10) days of the date of this Order.

BY ORDER OF THE COMMISSION:


Chairman

ATTEST:


Executive Director
(SEAL)